

1 LAW OFFICE OF BENJAMIN RAMOS
2 Benjamin Ramos (State Bar No. 156643)
3 705 E. Bidwell, Suite 2-359
4 Folsom, CA 95630
5 Telephone: (916) 358-9842
Email: benjamin_ ramos@comcast.net

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8 *Appointed Attorney for Defendant,*
9 CHRISTOPHER RYAN BUSBY

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UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

11 UNITED STATES OF AMERICA,
12 Plaintiff,
13 v.
14 CHRISTOPHER RYAN BUSBY,
15 Defendant.

Case No.: 2:15-cr-00353-GMN-NJK

STIPULATION CONTINUING
EVIDENTIARY HEARING; ORDER
(SIXTH REQUEST)

IT IS HEREBY STIPULATED AND AGREED, by and between Jason M. Frierson, United States Attorney, and Nadia Ahmed, Assistant United States Attorney, and Benjamin Ramos, Esq., appointed counsel for the Defendant, Christopher Ryan Busby, that: (a) the evidentiary hearing regarding Defendant's Motion Pursuant to 28 U.S.C. § 2255 to Vacate, Set Aside, or Correct Sentence by a Person in Federal Custody (ECF No. 184), currently set for February 19, 2025, along with (b) the deadline for the joint preliminary brief, be vacated and continued to a date and time convenient to the Court, at least ninety (90) days from the current date, setting a new date for May or June of 2025.

This Stipulation is entered into for the following reasons:

1. On October 10, 2023, the Court issued an Order denying Busby's motion in part and preserving for evidentiary hearing certain of his claims relating to alleged ineffective assistance of his

1 defense counsel (ECF No. 203). The Court identified eleven ineffective assistance of counsel claims that
2 merit consideration at an evidentiary hearing. (ECF No. 203 at 18-19.) Pursuant to the parties' request,
3 the Court set the evidentiary hearing for February 29, 2024. (ECF No. 207). The parties subsequently
4 submitted stipulations to continue the evidentiary hearing, with continued evidentiary hearing dates of
5 May 1, 2024, July 1, 2024, September 16, 2024, and November 18, 2024. (See, e.g. ECF No. 212; ECF
6 No. 234). The November 18, 2024, hearing date was continued by stipulation to February 19, 2025. (ECF
7 No. 267.)

8 2. The Court ordered the parties to submit a joint preliminary brief listing the witnesses the
9 parties intend to call and explaining the issues the parties intend to clarify and develop at the hearing.

10 3. On November 22, 2024, prior appointed counsel for Defendant, Angela H. Dows, Esq.,
11 filed a motion to withdraw as counsel of record, which was granted the same day. (ECF No. 268, 270.)

12 4. The Court appointed undersigned counsel to represent Defendant on December 3, 2024.
13 (ECF No. 271.) Counsel Ramos has spoken with prior appointed counsel Dows and requested that she
14 forward her files on this case to him. She has agreed and voiced no objections.

15 5. Recently appointed counsel for Defendant, Mr. Ramos, needs time to review prior
16 counsel's files, the docket, Defendant's pro se 2255 motion, the Government's response, other pleadings,
17 reports, documents, exhibits, and consult with Mr. Busby and experts, to evaluate the issues and prepare
18 adequately for the evidentiary hearing. The ineffective assistance issues will require exhaustive review of
19 the record and, potentially, depositions of Defendant's prior attorneys who represented him in connection
20 with his guilty plea in this case.

21 6. Previously, Ms. Dows, hired a computer forensic expert who has done some work in this
22 case. Mr. Ramos will need time to review any reports or findings reached, consult with this expert in
23 anticipation of the evidentiary hearing and explore whether any further expert inquiry is necessary.

24 7. On May 10, 2024, Busby was assaulted by another inmate at the Nevada Southern
25 Detention Center in Pahrump, Nevada. The assault resulted in Busby losing several teeth, having facial
26 fractures requiring surgical installation of metal plates, and a compromised eye socket. The medical
27 treatment limited the availability of prior counsel Dows to confer with Mr. Busby.

8. On May 19, 2024, Ms. Dows filed a motion for leave to file first amended motion to vacate. The motion was denied on July 2, 2024. (ECF No. 239; ECF No. 242; ECF No. 254.) On June 4, 2024, and July 16, 2024, in part, Dows filed an original and renewed motion for discovery, to wit the issuance of certain document subpoenas. (ECF No. 243; ECF No. 255.) The renewed motion was granted on August 5, 2024. (ECF No. 260.)

9. On July 18, 2024, the Court granted Busby's motion for sentence reduction, reducing the term of imprisonment from 121 months to 113 months. (ECF No. 257.) Busby will be transported via the Bureau of Prisons and eventually processed out of prison but will remain in "constructive custody" under the terms of his supervised release. The current listed release date for Busby is in August of 2025. (See <https://www.bop.gov/inmateloc/> (under search for "Christopher Busby" as of December 23, 2024)).

10. Busby's custody status previously limited his ability to confer with counsel Dows in advance of the February 19, 2025, evidentiary hearing date.

11. This is the sixth request for a continuance filed herein.

12. Accordingly, the parties request at least a ninety (90) day continuance of the hearing date and joint preliminary brief.

IT IS SO STIPULATED.

Respectfully submitted,

Dated: December 23, 2024

JASON M. FRIERSON
United States Attorney

/s/ Nadia J. Ahmed

NADIA J. AHMED
Assistant United States Attorney

Dated: December 23, 2024

LAW OFFICE OF BENJAMIN RAMOS

/s/ *Benjamin Ramos*

BENJAMIN RAMOS (SBN 156643)
Attorney for Defendant

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

UNITED STATES OF AMERICA,

Case No.: 2:15-cr-00353-GMN-NJK

Plaintiff,

Y.

CHRISTOPHER RYAN BUSBY.

ORDER

Defendant.

IT IS THEREFORE ORDERED that the evidentiary hearing scheduled for Petitioner Christopher Ryan Busby's Motion to Vacate, Set Aside, or Correct Sentence Under 28 U.S.C. § 2255 (ECF No. 184), currently scheduled for February 19, 2025, be vacated and continued to May 12, 2025 at the hour of 9:00 a.m.

IT IS FURTHER ORDERED that the deadline for filing the joint preliminary brief be continued to April 28, 2025.

DATED this 6 day of January, 2025.

UNITED STATES DISTRICT JUDGE
